

2/23/09

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To: Larry Schack  
DNRC MRO

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From: Dan Floyd

FEB 23 2009

Ravalli County Commissioners

Subject: Your Letter of February 19.

Beth  
cc  
the  
to  
Laura  
Hendry  
(Glenda)

I appreciate your response and explanation of the issues involved with the Bell Crossing Bridge. Because of the input from Dennis Carlson, Army Corps of Engineers, that the project would probably not fall under the Nationwide Permitting process, but would be looked at as a specific project requiring "300 to" "400,000 in fees and engineering and take 3-4 years for approval, I have withdrawn the project application to channel the gravel bar. The disaster at the bridge will probably occur in less than the 3-4 year period cited.

It is my understanding that part of your responsibility relates to not only recommending courses of action to Floodplain Administrators, but Floodplain issues in general. The Bell Crossing Bridge situation has been known since the mid 1990's and in the past you have been involved in attempting to address the problems.

I cannot comprehend why nothing has been done. I am trying to bring this situation to a reasonable conclusion before a disaster happens and I do not have

(Con't)

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the money to fix problems that have been caused by Ravalli County and the Department of Transportation.

The State of Montana owns the water in the river, claims to own the land under the river, owns the bridge and DNRC administers all issues related to the water and the land under the water. The state now expects me to spend \*30-50,000 on engineering and permits, and approximately \*180,000 to rip-rap the river bank to protect myself and others from damage that the state caused. I do not have the resources to do this and as my property and others are destroyed, the only logical conclusion is litigation. Unfortunately, this may be the only solution, I hope not.

I would appreciate any assistance you can provide in this matter.

Sincerely,  
M. L. J.

Attachment: Letter to Laura Hendrix dated 2/22/09

cc: George Conn - Ravalli County Attorney  
Todd Tillingro - Army Corps of Engineers  
John Cramer - Ravalli Republic  
Michael Howell - Bitterroot Star  
Ravalli County Commissioners.